



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No.

PERKINS COIE LLP
P.O. BOX 2168
MENLO PARK CA 94026

COPY MAILED

FEB 14 2008

OFFICE OF PETITIONS

In re Application of :
Ishii et al. : DECISION ON PETITION
Application No. 10/680,356 :
Filed: October 6, 2003 :
Atty Docket No. 58600-8229.US00 :

This is a decision on the PETITION TO WITHDRAW HOLDING OF
ABANDONMENT filed October 9, 2007.

The above-identified application became abandoned for failure to
file a timely and proper reply to the non-final Office action
mailed September 14, 2006. This Office action set a shortened
statutory period for reply of three (3) months, with extensions
of time obtainable under § 1.136(a). No reply considered filed
and no extension of time considered obtained, the application
became abandoned effective December 15, 2006. A courtesy Notice
of Abandonment was mailed on August 8, 2007.

In response, applicant timely filed the instant petition.
Applicant petitions the Office to withdraw the holding of
abandonment based on a response timely filed on December 14,
2006. In support of this petition applicants submit a copy of
their acknowledgment receipt of the December 14, 2006 response
and a copy of the response and the accompanying IDS and PTO-
1449.

Although it appears persuasive, consideration of petitioner's
evidence is unnecessary. The response is present in the
application with a date of receipt of December 14, 2006.

Accordingly, the Notice of Abandonment mailed August 8, 2007 and
the holding of abandonment are hereby **WITHDRAWN**.

The petition under § 1.181 is GRANTED.

No fee is required on petition under § 1.181.

Technology Center AU 1633 has been advised of this decision. The application file is, thereby, forwarded to the Technology Center's technical support staff to withdraw the holding of abandonment and for consideration by the examiner of the response timely filed on December 14, 2006 (and resubmitted on petition filed October 9, 2007).

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", with a large, stylized flourish extending from the end of the name.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions